



Docket No. JBP561

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gregory Booker
Appln. No. : 09/931,703
Filed : August 16, 2001
Title : Moisturizing Detergent Compositions

Confirmation No.:3432

Art Unit : 1751
Examiner : DelCotto, Gregory R.

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
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(Date of Deposit)

Brett Freeman
(Name of applicant, assignee, or Registered Representative)

Brett
(Signature)

8/04/04
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RULE 132 DECLARATION OF JOSEPH LIBRIZZI

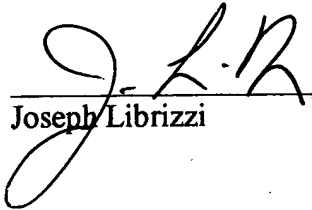
I, Joseph Librizzi, hereby declare and state that:

1. I am an inventor in the above-referenced patent application. I hold a B.S. degree in Electrical Engineering (1986) from Temple University and a Masters (1988) and Ph.D. (1993) in Biomedical Engineering jointly from Rutgers University and the University of Medicine and Dentistry of New Jersey. I have been employed by Johnson & Johnson Consumer Companies, Inc., the assignee of the application, and its predecessors in interest, since 1998 holding various positions including my current position as Manager of

the Formulations Innovations Group. I have extensive experience and familiarity with the development of surfactant systems and cleansing composition formulations for use in consumer products.

2. I am familiar with the prosecution history of my patent application. I am aware that the invention as now claimed defines a moisturizing detergent composition comprising a cationic polymer, an emollient selected from the group consisting of a diester, a triester, or a mixture thereof, a monoester emollient, and a cleansing surfactant. I have reviewed the Office Action dated March 9, 2004 and the patents and patent application cited therein.
3. Attached hereto are descriptions from the website www.drugstore.com (accessible and printed on June 23, 2004) for the Aveeno Baby Wash and Oil of Olay Face Wash products tested in the consumer testing described in Example 5 and illustrated in Table 5 of the application. As shown by the list of ingredients in the attached descriptions, both the Aveeno and Oil of Olay products contain a combination of components different from the combination as now claimed, yet arguably comprising combinations of components within the broad disclosures of the two patents and one patent application cited in the instant application. That is, the Aveeno and Oil of Olay products comprise combinations of water, surfactants, and optionally silicones, high molecular weight hydrocarbons, fatty acid ester/oils, and the like.
4. As illustrated by the data collected in the consumer testing described in Example 5 of the application, the instantly claimed compositions exhibit significantly unexpected advantages/consumer preferred properties over the Aveeno and Oil of Olay products.

5. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Joseph Librizzi

8/3/04
Date